



Scheme of Delegation to Committees and Officers

Wellington Town Council
Adopted at Full Council July 2024

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1. Introduction

- 1.1. The Town Council has the power to arrange for the discharge of its functions to a committee, sub-committee or officer of the Authority¹.
- 1.2. The Town Council have appointed a Town Clerk who acts as the Council's Proper Officer. The Town Clerk is designated and authorised to act as the Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a proper officer.
- 1.3. The role of the Responsible Financial Officer (RFO) is a separate post which also acts as Deputy Town Clerk in the absence of the Town Clerk.

2. Discharge of the Scheme

- 2.1. This Scheme of Delegation forms part of the Council's Financial Regulations and Standing Order and will be reviewed at least annually or earlier if required; for example when there are staffing changes.
- 2.2. One of the purposes of this document is to clearly define the parameters within which Officers of the Council are able to act without reference to either their line managers or Members.
- 2.3. Where consultation with others is a requirement of the ability to act it is clearly set out with whom that consultation should take place.
- 2.4. Any deviation from this scheme should be reported to Council at the earliest opportunity with an explanation of the circumstances in which the breach occurred.
- 2.5. The other purpose of the document is to capture the various delegated powers throughout the Council, including those delegated by the Council to its various committees.
- 2.6. The Council's functions with respect to issuing a precept for a rate or borrowing money shall be discharged only by the Council.

3. Matters Reserved for Full Council

- 3.1. Each of the Council's Committees (see item 4 below) has delegated authority to decide matters within their terms of reference as incorporated in this delegation scheme except for the following matters, which are to be resolved only by Full Council:
 - To appoint the Mayor and Deputy Mayor of the Council,
 - To adopt and change the Standing Orders, Financial Regulations, Scheme of Delegation and other Council policies,
 - Approval of Budget and setting the precept,

¹ Local Government Act 1972 s101 (<https://www.legislation.gov.uk/ukpga/1972/70/section/101>)

- Approval of the Annual Return and Audit of Accounts,
- To determine the Council's Corporate Priorities,
- To agree and/or amend the terms of reference for Committees, deciding on their composition and making appointments to them,
- Filling of any vacancies occurring on any committee of the Council during the council year,
- To adopt the schedule of meetings for the ensuing year,
- Declaring the eligibility of the General Power of Competence,
- Addressing any recommendations in any report from the internal or external auditors,
- Appointment or nominating Council representatives to outside bodies,
- Agreement to take on new, including devolved, services subject in all cases to a fully costed business plan, to be recommended by the Policy & Finance Committee,
- To consider the recommendations of any Remuneration Panel (where one is in existence) and adopt the level of allowances that can be claimed by Members of the Council in respect of authorised or approved duties,
- To determine matters involving expenditure for which budget provision is not made or is exceeded,
- To determine any matters referred to it by a committee in accordance with Standing Orders,
- Approval of borrowing,
- To receive statutory reports from the Town Clerk/Responsible Financial Officer,
- To consider all other matters which must, by law be considered by Full Council

3.2. The Council may, at any time without prejudice to executive action taken already, revoke any executive power delegated to a Committee or Officer.

3.3. In accordance with processes set out in Standing Orders² the Council may, reverse a Committee (or Council) decision within 6 months.

4. Delegation to Committees

4.1. The Council has appointed the following standing Committees:

- Policy & Finance Committee
- Environment Committee Community Committee
- Economic Development Committee
- Planning Committee

4.2. The Council has, in accordance with item 3.1 above, approved Terms of Reference for the abovementioned Committees (including spending authority). The delegated decision making by Committees must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget. Where authority

² Wellington Town Council Standing Orders Section 7a

is delegated to a Committee, so far as is legally permissible, they be deemed the acts and proceedings of the Council.

- 4.3. The Council may at any time, following resolution, revoke any delegated authority, without prejudice to executive action already taken.
- 4.4. Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly, where a Committee has no delegated power to make a decision it makes a recommendation to Council.
- 4.5. The Council and each Committee is authorised to establish Sub-Committees and working groups, and to appoint advisers as and when necessary to assist in its work.
 - A Committee can arrange for the discharge of any of their delegated powers to a sub-committee. The delegated powers will be decided by the committee at the time it is formed detailing the delegated powers.
 - The work of a working group will be decided upon at the time it is formed by means of a Minute detailing the terms of reference. Each working group will report back with recommendations to the Council or the Committee that formed it. Working parties or groups have no delegated powers.
- 4.6. The Terms of Reference for the Committees abovementioned in item 4.1 shall form part of this Scheme by the way of attached appendixes, and a summary is included in item 7 below.

5. Delegation to Officers

- 5.1. Specific delegations to officers are set out below. Delegated actions for officers shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.
- 5.2. The Town Clerk, as Proper Officer, has the delegated authority to carry out the following activities on behalf of the Council;
 - To sign all documents on behalf of the Council including the Summons to Elected Members to attend Council Meetings,
 - To be responsible for signing all the Council's Official Notices and for sealing Council documents as set out in the Standing Orders,
 - To receive declarations of acceptance of office,
 - To retain a copy of every Councillors' Register of Interests,
 - To deal with dispensation requests from Members of the Council,
- 5.3. The Deputy Town Clerk will have the delegated powers to act as the Town Clerk, in the absence of the Town Clerk.

5.4. The Clerk may authorise another Officer or Officers of the Council to exercise the powers of the Clerk in their absence, without removing the overall responsibility of the Clerk for any such decisions.

5.5. The Clerk, and RFO, will have delegated authority as detailed for items relating the following categories

5.5.1. Day to day to day administration of the Council:

- The day to day administration and management of services, together with routine inspection and control,
- The Clerk may incur expenditure on revenue items within budgets as detailed in item 7 on behalf of the Council up to the amounts included in those approved budgets,
- The Clerk is the manager for all staff employed by the Council and is given delegated powers to manage Council staff in accordance with the Council's policies, procedures and budget. They have further authority to delegate line management responsibilities to other senior Officers,
- The authority to sanction and authorise payment of overtime subject to advance notice given to the committee members and within approved budget parameters,
- Power to release press statements on any activities of the Council subject to prior consultation with either the Chair of the relevant committee, or the Mayor, in accordance with the Media Communications Policy,
- The power to manage, promote and co-ordinate the events agreed by the Council in consultation with the appropriate committee,
- To retain overall editorial control of the Town Council websites and social media accounts,
- Power to act on own initiative to implement the Councils policies and objectives,

5.5.2. Council Assets & Emergency Expenditure

- In cases of extreme risk to the delivery of council services, the Clerk may authorise revenue expenditure on behalf of the council which in the Clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £5,000. The Clerk shall report such action to the appropriate chairman as soon as possible and to the Finance Committee as soon as practicable thereafter,
- In the case of an emergency, the Clerk shall have the power to take reasonable steps to secure the Council's assets or position, following consultation with the Mayor (if practicable in the circumstances),
- Power to act immediately on all Health and Safety or emergency issues without waiting for endorsement by the Council,

- The Clerk will have the authority to dispose of redundant or unrepairable Council equipment (excluding land and building assets),
- The Clerk is responsible for ensuring any disposal details including the disposal values are recorded in the assets register which shall be reported to the Policy & Finance Committee.

5.5.3. Training for Officers & Members

- To authorise staff to attend relevant training courses provided the expense can be met from approved budgets having considered the training needs of the employees,
- The power to identify own training needs and book onto relevant training courses provided that the expense can be met from approved budgets,
- The Town Clerk is authorised to book training courses for members of the Council in accordance with the Training and Development Policy

5.6. The RFO shall:

- Be responsible for all financial records of the Council and the careful administration of its finances and accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time and with the policies and procedures set by the Council and within the law,
- Be responsible for all financial records of the Council and the careful administration of its finances and accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time and with the policies and procedures set by the Council and within the law,
- Have the power to release any financial related report or document to the Council or it's committees in discharge of the Responsible Financial Officer responsibilities,

5.7. Consultants or self-employed contractors engaged by the Council do not have any delegation to make decisions or financial commitments on behalf of the Council.

6. Officers Conflicts of Interest

6.1. Officers must make a formal declaration about Council contracts where the employee has a financial interest³. Every officer is responsible for identifying whether he/she has any conflict of interest in any matter which is under consideration, actual or perceived, within the Council, and notifying the Town Clerk.

6.2. Where an employee is unsure whether an interest should be declared, they should speak to Town Clerk in the first instance. If the employee is advised not to declare their interest, a record of the discussion should be kept by both

³ Local Government Act 1972, s117 (<https://www.legislation.gov.uk/ukpga/1972/70/section/117>)

parties. Failure to disclose such an interest, may result in disciplinary action being taken which could lead to dismissal.

6.3. Employees are also required to disclose any other employment that they wish to undertake in addition to their primary post with the Council.

6.4. All employees must identify and disclose any actual or potential personal, financial, business, or other interest or close personal relationship which might reasonably be perceived as a conflict of interest.

6.5. Where an Officer has a conflict of interest in any matter, he/she shall not participate in that matter in his/her capacity as an Officer except with the prior approval of the Town Clerk. Any approval granted by the Town Clerk shall be formally recorded in the Council minutes. Where such approval has been granted for the Officer to participate in a Council meeting of that subject matter, he/she must ensure that the disclosure of interest is also declared at the start of the Council meeting under the disclosures of interests for members and officers.

7. Summary of Financial Delegation

7.1. Financial Delegation to Officers

Authority	Limit	Officer
To incur day to day expenditure	<p>Within the following Cost Centre/Code budgets as set:</p> <p>28-30 Fore Street (all codes) Administration (all codes) Community Warden (all codes) Cost of Democracy & Elections</p> <ul style="list-style-type: none"> • Members training • Members travelling • Hospitality • Deputy Mayor's Expenses <p>IT, Website & Internet (all codes) Staff Costs & Expenses (all codes) Unitary Devolution</p> <ul style="list-style-type: none"> • IT Impact 	Town Clerk and/or RFO
To incur emergency expenditure	< £5,000	Town Clerk and/or RFO
To incur expenditure for Training of Officers & Members	Within budgets as above	Town Clerk and/or RFO

7.2. Financial Delegation to Committees

Committee Name	Membership	Delegated Budgets	Delegated Spending Authority
Policy & Finance Committee	<p>9 Councillors</p> <p>Quorum of 5 Councillors</p> <p>May appoint a Chairman, Vice Chairman and lead Councillors as required.</p>	All	<p>May not cause a budget line to become overspent without prior approval from or by way of recommendation to Full Council.</p> <p>May prepare and review documents required for items that must be procured through the tender process. i.e. more than £25,000 excl. VAT. But the award of contract is a reserved matter for Full Council.</p>
Environment Committee	<p>7 Councillors</p> <p>Quorum of 4 Councillors</p> <p>May appoint a Chairman, Vice Chairman and lead Councillors as required.</p>	<p>Allotments (all codes)</p> <p>Earmarked Reserves:</p> <ul style="list-style-type: none"> • Railway Station • Playing Pitch Strategy, • Environmental Improvements, • Open Spaces Development <p>Environment & Planning (all codes)</p> <p>Play Areas (all codes)</p> <p>Unitary Devolution:</p> <ul style="list-style-type: none"> • Play Areas, • TC Planting, • Park Planting & Security 	<p>May not cause a budget line to become overspent without prior approval from or by way of recommendation to Full Council.</p> <p>May prepare and review documents required for items that must be procured through the tender process. i.e. more than £25,000 excl. VAT. But the award of contract is a reserved matter for Full Council.</p>

<p>Economic Development Committee</p>	<p>7 Councillors</p> <p>Quorum of 4 Councillors</p> <p>May appoint a Chairman, Vice Chairman and lead Councillors as required.</p>	<p>Christmas (all codes) Town Centre:</p> <ul style="list-style-type: none"> • Summer Street Fair, • Town Centre Projects, • Remembrance & AFD, • Heritage, • Clocks 	<p>May not cause a budget line to become overspent without prior approval from or by way of recommendation to Full Council.</p> <p>May prepare and review documents required for items that must be procured through the tender process. i.e. more than £25,000 excl. VAT. But the award of contract is a reserved matter for Full Council.</p>
<p>Community Committee</p>	<p>7 Councillors</p> <p>Quorum of 4 Councillors</p> <p>May appoint a Chairman, Vice Chairman and lead Councillors as required.</p>	<p>28-30 Fore Street (all codes) Community Services (all codes) Pop Up Shop (all codes) Town Centre:</p> <ul style="list-style-type: none"> • Longforth Road Toilets, • Longforth Road Toilets Refurb, • Kings Arms <p>Unitary Devolution:</p> <ul style="list-style-type: none"> • Toilets, • Bus Shelters 	<p>May not cause a budget line to become overspent without prior approval from or by way of recommendation to Full Council.</p> <p>May prepare and review documents required for items that must be procured through the tender process. i.e. more than £25,000 excl. VAT. But the award of contract is a reserved matter for Full Council.</p>
<p>Planning Committee</p>	<p>9 Councillors</p> <p>Quorum of 5 Councillors</p> <p>May appoint a Chairman, Vice Chairman and lead Councillors as required.</p>	<p>None</p>	<p>No spending authority.</p>